

**UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, THE  
EMPLOYEES RETIREMENT SYSTEM OF THE  
GOVERNMENT OF THE COMMONWEALTH OF  
PUERTO RICO, AND THE PUERTO RICO PUBLIC  
BUILDINGS AUTHORITY,

Debtors.<sup>1</sup>

AMERINATIONAL COMMUNITY SERVICES, LLC,  
(AS SERVICER FOR THE GDB DEBT RECOVERY  
AUTHORITY) AND CANTOR-KATZ  
COLLATERAL MONITOR LLC,

Movants,

v.

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, THE  
EMPLOYEES RETIREMENT SYSTEM OF THE  
GOVERNMENT OF THE COMMONWEALTH OF  
PUERTO RICO, AND THE PUERTO RICO PUBLIC  
BUILDINGS AUTHORITY,

Respondents.

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

Re: ECF No. 18340 in

Case No. 17-bk-3283-LTS

**DECLARATION OF MICHAEL T. MERVIS IN CONNECTION WITH THE DRA  
PARTIES' MOTION *IN LIMINE* TO EXCLUDE EXPERT WITNESSES OR TESTIMONY**

<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283- LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

I, Michael T. Mervis, declare:

1. I am a partner at Proskauer Rose LLP, counsel to the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as the sole Title III representative of the Commonwealth of Puerto Rico, PBA and ERS pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”).<sup>2</sup> I submit this declaration in connection with the Oversight Board’s opposition to *The DRA Parties’ Motion in Limine to Exclude Certain FRCP 26(a)(2)(C) Expert Witnesses or Testimony* [ECF No. 18340 in Case No. 17-bk-3283] filed by AmeriNational Community Services, LLC as servicer for the GDB Debt Recovery Authority, and Cantor-Katz Collateral Monitor LLC (collectively, “Movants”).

2. Attached hereto as Exhibit 1 is a true and correct copy of an email I sent to counsel to Movants at 3:00 p.m. Eastern Time on September 30, 2021.

3. Attached hereto as Exhibit 2 is a true and correct copy of Movants’ *Notice of Deposition Pursuant to Fed. R. Civ. P. 30* of Mr. Jay Herriman of Alvarez & Marsal dated September 13, 2021.

4. Attached hereto as Exhibit 3 is a true and correct copy of Movants’ *Notice of Deposition Pursuant to Fed. R. Civ. P. 30* of Mr. Gaurav Malhotra of Ernst & Young dated September 13, 2021.

5. Attached hereto as Exhibit 4 is a true and correct copy of Movants’ *Notice of Deposition Pursuant to Fed. R. Civ. P. 30* of Mr. Ojas Shah of McKinsey & Company dated September 13, 2021.

6. Attached hereto as Exhibit 5 is a true and correct copy of excerpts from the transcript of the October 6, 2021 Remote Video-Recorded Deposition of Ojas N. Shah.

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<sup>2</sup> PROMESA is codified at 48 U.S.C. §§ 2101–2241.

I declare under penalty of perjury that the foregoing is true and correct.

Executed On: October 15, 2021

/s/ Michael T. Mervis

Michael T. Mervis